

# **FISCAL NOTE**

## **SB 2188 - HB 2773**

February 4, 2000

**SUMMARY OF BILL:** Provides that a teacher who, after completion of the statutory probationary period, receives written notice of dismissal or that tenure will not be recommended, may during the 15 days following notification, request a hearing before the board of education. Teachers would be allowed to request specific reasons for nonrenewal or specific reasons for the failure of the director of schools to recommend tenure.

The bill allows the board of education to grant tenure to a teacher if it finds it to be appropriate. No teacher would be employed for any school year beyond the completion of the statutory probationary period without a recommendation for tenure and a vote by the board of education to grant tenure.

Failure of a teacher to receive the required notice during the final year of the statutory probationary period would entitle a teacher only to back pay and other damages should the teacher not find employment in another school system.

The bill also deletes some existing language that presently allows boards of education to transfer any teacher from one position to another at its option.

Under present law, teachers at public elementary and high schools remain employed until they receive written notice from their board of education or superintendent/director of schools of their dismissal or failure of reelection. Notice must be given to a teacher before April 15th to be applicable to the next succeeding school year.

### **ESTIMATED FISCAL IMPACT:**

#### **Increase Local Govt. Expenditures\* - Exceeds \$100,000**

Estimate assumes an increase in local government expenditures if:

1. The number of hearings before the board of education increased significantly and the school system was required to pay legal costs to represent it at the hearings.
2. A number of teachers failed to receive proper notice and the board of education was required to pay teachers back pay and other damages.

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3. Additional time is required to make a report to the board of education listing specific reasons for nonrenewal or failure to recommend tenure.

Assumes any combination of the provisions outlined above would result in an increase in local government expenditures exceeding \$100,000.

*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director